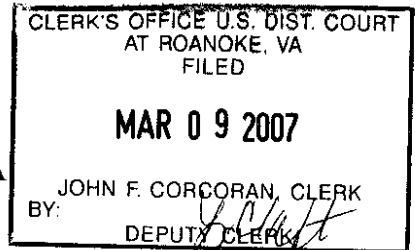


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



JO'NATHAN TALBERT,
Plaintiff,

v.

W. SMITH, et al.,
Defendants.

)
) Civil Action No. 7:05CV00736
)
) **ORDER**
)
)
) By: Hon. Glen E. Conrad
) United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

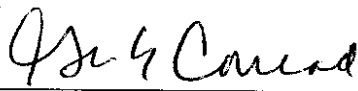
ORDERED

as follows:

1. The motion for summary judgment filed by D. Anderson, R. Hall, W. Smith, C. Barnette, J. Taylor, A. Kilbourne, D. Still, A.D. Robinson, and Lieutenant Combs (docket #90) is **GRANTED IN PART AND DENIED IN PART**;
2. The motion for summary judgment filed by R. Cochrane (docket #159) is **DENIED**;
3. The plaintiff's motions to compel (docket #168 and #169) are **DENIED**;
4. The plaintiff's "motion to render judgment" on the defendants' motions (docket #173) is **DISMISSED** as moot;
5. A.D. Robinson shall be **DISMISSED** from the case; and
6. The case shall proceed to a jury trial as to the remaining defendants.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 9th day of March, 2007.



United States District Judge